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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT TACOMA

7 BRIAN D. MATTHEWS,

8 Plaintiff,

9 v.

10 JOSEPH LEHMAN, *et al.*,

11 Defendants.

Case No. C07-5376RJB

ORDER DENYING PLAINTIFF'S
MOTION TO STRIKE ANSWER

12 The Court, having reviewed plaintiff's motion to strike (Doc. 84) and the balance of the record
13 contained herein, does hereby find and ORDER.

14 (1) Plaintiff's argues the Answer to his Amended Complaint includes claims or defenses that are
15 inconsistent with Court's earlier rulings. After reviewing the matter, the undersigned is not persuaded by
16 Plaintiff's argument. At this stage in the litigation Defendant's will not be precluded from raising certain
17 defenses, discovery and introducing evidence to support those defenses, or arguing their case. Plaintiff's
18 motion is **DENIED**.

19 (2) The Clerk is directed to send plaintiff a copy of this Order and the General Order

20 DATED this Tuesday, September 2, 2008.

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22 /s/ J. Kelley Arnold

23 J. Kelley Arnold

24 United States Magistrate Judge
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